

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

United States Courts  
Southern District of Texas  
ENTERED

NOV 17 2003

Michael N. Milby, Clerk of Court

RUSSEL GIBAUT

V.

DUKE ENERGY CORPORATION,  
DUKE ENERGY NORTH AMERICA, INC.,  
DUKE ENERGY MERCHANTS, LLC

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CIVIL ACTION NO. H-03-2514

JURY TRIAL DEMANDED

Honorable Vanessa D. Gilmore

ORDER

It is hereby ORDERED as follows:

1. Plaintiff is granted leave to amend his Complaint within 20 days after entry of this Order.
2. Defendants shall have <sup>30</sup>45 days after the filings of the Second Amended Complaint to plead or otherwise move.
3. Plaintiff shall have <sup>20</sup>20 days after the filing of motions to file a response.
4. Defendants shall have 15 days after the filing of the response to file a reply. ~~10 days.~~
5. The Initial Scheduling Conference set for December 5, 2003, shall ~~be reset the first available date after the Court rules on motions in response to the amended complaint.~~   
take place as scheduled.

Signed this <sup>12th</sup> day of November, 2003



UNITED STATES DISTRICT JUDGE

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